

Report Date: January 11, 2016

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Jan 11, 2016**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: William Clinton Palmer, III

Case Number: 0980 2:07CR00176-WFN-1

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: October 15, 2008

Original Offense: Receipt of Child Pornography, 18 U.S.C. § 2252A

Original Sentence: Prison - 84 months; TSR - Life Receipt of Child Pornography, 18 U.S.C. § 2252A

Asst. U.S. Attorney: Stephanie A. Van Marter

Date Supervision Commenced: March 20, 2015

Defense Attorney: TBD

Date Supervision Expires: Life

PETITIONING THE COURT

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 01/08/2016.

The probation officer believes the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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	<u>Standard Condition # 7:</u> The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.
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	<u>Supporting Evidence:</u> On January 8, 2016, a search of the offender's trailer was completed. Officers located two pipes, which are commonly used for smoking marijuana, with burned residue in them. Another similar pipe was located on the offender's person.
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During the search of the offender's trailer, officers located and seized eight small bags containing green or brown leafy remnants and/or small particles. Six of the bags were titled "THC" as the ingredient contained inside the bag; and one bag identifies Cannabinoid as the product inside.

In a large black plastic bag found inside of the offender's garbage cans, officers located five small bags that appeared to have green or brown leafy remnants and/or small particles in the them. All but one bag indicates the bags contained THC.

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During the search of the residence, in the upstairs southeast bedroom, officers located three more packages as previously noted. They appeared to have green or brown remnants in the bags and they list THC as an ingredient contained in the product in the bag.

- 4 **Special Condition # 17:** You shall be prohibited from possessing or manufacturing any material, including videos, magazines, photographs, computer-generated depictions, or any other forms that depict sexually explicit conduct involving children or adults, as defined at 18 U.S.C. § 2256(2). Neither shall you enter nor frequent any establishment involved in the sex industry, including adult bookstores, massage parlors, and strip bars. You shall not utilize any sex-related adult telephone numbers. The supervising probation officer is authorized to monitor compliance in this area by obtaining telephone records.

Supporting Evidence: During the search of the offender's trailer and residence, officers located five magazines depicting sexually explicit conduct involving adults, as defined in 18 U.S.C. § 2256(2). They are: three Playboy magazines; and two Hustler magazines, one with the title of Barely Legal. Located upstairs in the residence was a digital video disc (DVD) titled Kinky Hollywood, which after review, was observed to depict sexually explicit conduct involving adults, as defined in 18 U.S.C. § 2256(2).

- 5 **Mandatory Condition # 4:** The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

Supporting Evidence: Mr. Palmer provided a random urine sample on December 4, 2015, which was presumptive positive for tetrahydrocannabinol (THC). The offender admitted he smoked marijuana the night before and signed an admission form. The uranalysis specimen was sent for laboratory analysis and was confirmed positive for marijuana metabolites on December 11, 2015.

- 6 **Special Condition # 21:** You shall allow the probation officer or designee to conduct random inspections, including retrieval and copying of data from any computer and any personal computing device that you possess or have access to, including any internal or external peripherals. This may require temporary removal of the equipment for a more thorough inspection. You shall not possess or use any data encryption technique or program. You shall purchase and use such hardware and software systems that monitor your computer usage, if directed by the probation officer.

Supporting Evidence: On December 4, 2015, Mr. Palmer showed this officer a computer device, specifically a tablet type device in a pink colored case. He stated he used this device to play internet type games. The offender did not previously disclose he had this device. The device is capable of accessing the internet, and does not have monitoring equipment.

On January 8, 2016, Mr. Palmer's cellular telephone, located on his person, and the small computer type tablet in a pink colored case previously described located inside the residence, were seized. Neither device have software monitoring systems.

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It is respectfully recommended the Court included these violations with the previously filed petition dated January 8, 2016, requesting a warrant requiring William Clinton Palmer III to appear to answer to the allegations in the attached petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 11, 2016

s/Stephen Krous

Stephen Krous
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other


Signature of Judicial Officer

1/11/2016

Date

